

REMARKS

I. Scope of Claims.

The instant invention contains claims 1-25.

II. Groups

In Paragraphs 1 and 2 of the pending Office Action, the Examiner set forth a restriction requirement. The Office Action restricts pending claims 1-25 as follows:

Group I: is drawn to a compound of formula B-A-C, wherein A is an amino acid having a functional group in the side chain, B is a chemical compound covalently bound to the functional A group and C is thiazolidine, pyrrolidine, cyanopyrrolidine, hydroxyproline, dehydroproline or piperidiene; or a pharmaceutical composition comprising the compound, classified in class 514, subclasses 19 and 183 and embodied in claims 1-10 and 14-22.

Group II: is drawn to a method for topically influencing the activity of diipeptidyl peptidase IV or analogous enzymes in a subject, or a method for prophylaxis of therapy of diseases of the skin or mucosa, autoimmune disease, inflammation, psoriasis, allergies, arthritis, or tumors by administering the compound of formula B-A-C or a pharmaceutical or cosmetic composition comprising the compound, classified in class 514, subclass 19, and class 424, subclass 94.63 and currently embodied in claims 11-13 and 23-25.

III. Restriction.

Applicants provisionally elect, with traverse, Group I, currently embodied in claims 1-10 and 14-22. According to Section 803 of the M.P.E.P., restriction may properly be required between patentably distinct inventions if (1) the inventions are independent or distinct as claimed; and (2) there is a serious burden on the Examiner if restriction is not required. In this

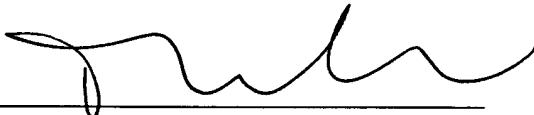
case, the entire patent system would be unnecessarily burdened with the additional application required and the duplicative work this restriction demand entails.

Specifically, Applicants respectfully submit that there will not be a serious burden on the Examiner if restriction between the claims is not required because regardless of the claims prosecuted, the field of search for each of the identified species are closely related if not identical and will substantially overlap. A separate field of search is shown to exist only when one of the distinct subjects can be searched in places where no pertinent art to the other subject exists. In this case, however, there is no indication that a separate field of search is required for the disclosed inventions. Thus, Applicants respectfully contend that there will not be a serious burden on the Examiner if restriction is not required as the classification are closely related and the field of search is similar and therefore Applicants would respectfully request that this restriction requirement be withdrawn.

CONCLUSION

The claims remaining within the application are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of this application is respectfully requested.

Respectfully submitted,



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Dated: October 16, 2003